

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:18-cr-20319
6th Circuit No. 21-1033

v.

Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

AMONDO WADE JETER JR.

Defendant.

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**OPINION AND ORDER REGARDING GOOD-CAUSE AND EXCUSABLE-NEGLECT
DETERMINATION FOR DEFENDANT'S NOTICE OF APPEAL**

This matter is before this Court following a limited remand from the Sixth Circuit Court of Appeals. ECF No. 35. In August 2018, Defendant Amondo Wade Jeter Jr. pleaded guilty to one count of conspiracy to possess with intent to distribute and to distribute cocaine and cocaine base, 21 U.S.C. § 841(a)(1) and 846. ECF No. 16. Defendant was sentenced to 140 months' incarceration and three years' supervised release. ECF No. 24. Defendant later filed a motion for resentencing under the First Step Act of 2018, which was denied. ECF No. 25. On December 8, 2020, Defendant filed a notice of appeal. ECF No. 30. On September 30, 2021, the Sixth Circuit remanded this case for the limited purpose of determining whether Defendant could show good cause or excusable neglect to extend the 14-day appeal period. ECF No. 35.

Consistent with the Sixth Circuit's order, this Court entered an order on November 2, 2021, directing Defendant to "file briefing explaining why he filed his notice of appeal beyond the 14-day period." ECF No. 36 at PageID.158. Defendant was given until November 26, 2021, to file his brief. *Id.* As of this Opinion, Defendant has not filed a responsive brief or otherwise provided any information regarding why he filed his notice of appeal after the 14-day period. Without such

information, this Court has no basis for finding that Defendant had good cause for filing his notice of appeal after the 14-day period or that his late filing was the result of excusable neglect.

Accordingly, it is **ORDERED** that Defendant Amondo Wade Jeter, Jr.'s filing of his notice of appeal, ECF No. 30, after the 14-day period is **DEEMED** untimely, without good cause, and not due to excusable neglect.

Further, it is **ORDERED** that the Clerk of the Court is **DIRECTED** to deliver a copy of this Opinion and Order to the Sixth Circuit Court of Appeals.

Dated: January 12, 2022

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge